

## IN THE CHANCERY COURT OF DESOTO COUNTY, MISSISSIPPI

LAWRENCE/MITCHELL CAPITAL  
MANAGEMENT GROUP, LTD.

PLAINTIFF

V.

CAUSE NO. 99-4-447

DESOTO COUNTY, MISSISSIPPI,  
MIKE MOORE IN HIS CAPACITY  
AS ATTORNEY GENERAL FOR  
THE STATE OF MISSISSIPPI,  
ROBERT L. WILLIAMS IN HIS  
CAPACITY AS ATTORNEY FOR  
DESOTO COUNTY, MISSISSIPPI,  
MICHAEL JOSEPH LACOMBE,  
TERESA A. LACOMBE, PAULA G.  
LACOMBE, DAVID LACOMBE,  
LARA HARMER AND ALL OTHER  
PERSONS, FIRMS AND  
CORPORATIONS HAVING OR  
CLAIMING ANY LEGAL OR  
EQUITABLE INTERESTS IN THE  
FOLLOWING DESCRIBED LAND  
LOCATED IN DESOTO COUNTY,  
MISSISSIPPI WHICH WAS SOLD  
FOR TAXES ON AUGUST 31, 1992,  
TO WIT: "LOT 283, SECTION B,  
CHICKASAW BLUFF LAKES  
SUBDIVISION, SEC. 7, T3, R9;  
PARCEL NO. 3093-0704.0-  
00283.00"

STATE MS. - DESOTO CO.  
FILED

AUG 9 10 29 AM '99

BK 357 PG 156  
W.E. DAVIS CH. CLK.

DEFENDANTS

JUDGMENT CONFIRMING TITLE

This day this cause coming on to be heard on the Complaint of Plaintiff,  
Lawrence/Mitchell Capital Management Group, Ltd., ("LMCMG") to confirm title under  
provisions of §11-17-3, Mississippi Code of 1972, as amended, to confirm the Tax Sale  
which occurred on August 31, 1992 and remove as a cloud on his title any and all claims  
the other Defendants have or may have in and to the hereinafter-described real property,  
and the Court having heard and considered same and being fully advised in the premises,  
finds as follows:

**FILED**

JUL 19 1999

W E DAVIS, CLERK

1. All the necessary party defendants have been served with process as required by law. They are:

- a. The State of Mississippi was served with process by service upon the Attorney General of the State of Mississippi on April 8, 1999. The State filed an Answer herein asserting no interest in the subject property.
- b. Robert Williams, District Attorney for DeSoto County was served and no answer was filed.
- c. DeSoto County, Mississippi was served April 27, 1999.
- d. David LaCombe was not found and served by publication and no answer was filed.
- e. Paula G. LaCombe was not found and served by publication and no answer was filed.
- f. Michael LaCombe was not found and served by publication and no answer was filed.
- g. Teresa LaCombe was not found and served by publication and no answer was filed.
- h. Lara Harmer was not found and served by publication and no answer was filed.
- i. Other Defendants, including all having or claiming any legal or equitable interest in the hereinabove-described real property were served by publication.
- j. Summons by publication, as required by law, was performed with publication on May 8, 15 and 22, 1999. The proof of publication is filed herein.
- k. Therefore, this Court has jurisdiction of the subject matter and of all parties herein.

2. Default was entered against the following defaulting defendants:
  - a. Robert Williams, District Attorney
  - b. David LaCombe
  - c. Paula G. LaCombe
  - d. Michael LaCombe
  - e. Teresa LaCombe
  - f. Lara Harmer
  - g. Other Defendants, including all having or claiming any legal or equitable interest in the hereinabove-described real property

3. LMCMG is the owner in fee simple absolute of the property described in Exhibit "A".

4. LMCMG is entitle to have the subject tax sale confirmed, title to the hereindescribed real property confirmed and all clouds on his title removed.

IT IS, THEREFORE, ORDERED AND ADJUDGED that:

1. The tax title of LMCMG, to the above described property be, and it hereby is, confirmed against all persons claiming to hold the land by title existing at the time of said sale for taxes, and that there be, and there hereby is, vested in said Plaintiff a good and sufficient title in said land, this judgment to be held as conclusive evidence that title to said land is vested in Plaintiff, as against all persons claiming same under the title existing prior to said sale for taxes.

2. LMCG is the owner in fee simple absolute of that property fully described in Exhibit "A" attached hereto located in, DeSoto County, Mississippi, which consists of LOT 283, SECTION B, CHICKASAW BLUFF LAKES SUBDIVISION, SEC. 7, T3, R9; PARCEL NO. 3093-0704.0-00283.00.

3. LMCG obtained said property by virtue of a "Quitclaim Deed and Assignment" filed for record in the office of the Chancery Clerk of DeSoto County at Book 287 Page 354 from LMG Properties, Inc. a/k/a LMG Properties As Agent

(hereinafter referred to as "LMG"). A true and correct copy of said Quitclaim Deed is attached hereto as Exhibit "B".

4. LMG obtained said property by virtue of that Chancery Clerk's conveyance of land sold for taxes filed for record in the office of the Chancery Clerk, DeSoto County, Mississippi at Book 276, Page 421. A true and correct copy of said Chancery Clerk's conveyance of land sold for taxes is attached hereto as Exhibit "C".

5. The above-described interest of LMG was granted by DeSoto County, Mississippi. Pursuant to Miss. Code Ann. § 11-17-19, therefore, DeSoto County, Mississippi, the Attorney General for the State of Mississippi and the District Attorney for DeSoto County, Mississippi are named as nominal defendants in this action, and there is no requirement that the title be deraigned to said property.

6. On or about March 3, 1980, Marilyn LaCombe, as Executrix of the Estate of Leo Lawrence LaCombe, conveyed the subject property to Michael Joseph LaCombe, Teresa A. LaCombe, Paula G. LaCombe, David LaCombe, and Lara Harmer by Administrator's Deed recorded in Book 146 at Page 473 of the Land Records of DeSoto County, Mississippi. A true and correct copy of said Administrator's Deed is attached as Exhibit "D".

7. At that Tax Sale dated August 31, 1992, the subject property was sold for taxes due and unpaid thereon for the year 1991 to LMG, which became the purchaser thereof. Said land was properly assessed and said sale was made and certified in the manner required by law. After said sale remained on file in the office of the Chancery Clerk, DeSoto County, Mississippi, for the redemption period of more than two years and all required notices were given by the appropriate authorities, the tax sale was not redeemed by any party.

8. After the time for redemption had passed, the Chancery Clerk, DeSoto County, Mississippi executed a Tax Deed to LMG, a copy of which is attached as Exhibit "C". That the State of Mississippi, District Attorney for DeSoto County and DeSoto County have appeared in this action but claim no interest in the real property.

9. That the State of Mississippi has appeared in this action but claim no interest in the real property.

10. DeSoto County has appeared and disclaims any interest in said property, except as to any unpaid county taxes and the liens which the taxes impose.

11. That the Plaintiff, LMCMG, be awarded a default judgment against the Defendants, Robert Williams as District Attorney, David LaCombe, Lara Harmer, Paula G. LaCombe, Michael R. Cooper LaCombe, Teresa LaCombe and all other persons, firms, corporations having or claiming any legal or equitable interests in the above described land located in DeSoto County, Mississippi, which was sold for taxes on August 31, 1992, confirming the tax title of LMCMG to the previously described property based on their failure to plead or otherwise defend.

12. This judgment is to be held as conclusive evidence that title to said land is vested in Plaintiff, as against all persons claiming same title to said property.

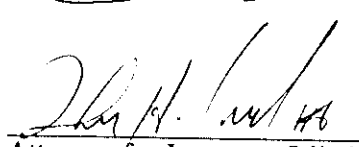
13. The claims of all Defendants are forever barred and they are enjoined from making any claim of right, title or interest in, to or upon said land by virtue of said claims, and all clouds on the title of Plaintiffs are hereby quieted and removed.


14. That final record be, and it hereby is, dispensed with but that this judgment be indexed as if a deed and recorded in the Records of Deeds of DeSoto County, Mississippi.

ORDERED AND ADJUDGED this 19<sup>th</sup> day of July, 1999.

  
CHANCELLOR

Michael S. MacInnis, MSB #  
Thomas H. Cassel, III, MSB #10501  
Rimmer, Rawlings, MacInnis & Hedglin, P.A.  
1290 Deposit Guaranty Plaza  
210 East Capitol Street  
Jackson, Mississippi 39201-2302  
Telephone: 601-969-1030

  
Attorney for Lawrence/Mitchell  
Capital Management Group Ltd.

  
DeSoto County Attorney

**EXHIBIT "A"**  
**PROPERTY DESCRIPTION**

LOT 283, SECTION 'B', CHICKASAW BLUFF LAKES SUBDIVISION, LOCATED  
IN SECTION 7, TOWNSHIP 3 SOUTH, RANGE 9 WEST, DESOTO COUNTY,  
MISSISSIPPI, PER PLAT THEREOF RECORDED IN PLAT BOOK 6, PAGE 29-34 IN THE  
OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI. PARCEL NO.  
3093-0704.0-00283.00



STATE MS - DESOTO CO.

GRANTOR: LMG Properties, Inc.

GRANTEE: Lawrence/Mitchell Capital Management Group, Ltd.

**QUITCLAIM DEED AND ASSIGNMENT**STATE OF MISSISSIPPI  
COUNTY OF DESOTO

FOR AND IN CONSIDERATION OF THE SUM OF Ten Dollars (\$10.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of all of which is hereby acknowledged, the undersigned, LMG Properties, Inc. a/k/a LMG Properties As Agent, a Mississippi corporation in good standing, does hereby convey, assign and quitclaim unto Lawrence/Mitchell Capital Management Group, Ltd., all of its right, title and interest in that certain property recorded in Deed Book 276 at Page 421 of records of the Chancery Clerk of DeSoto County, Mississippi, in and to the following described property situated in DeSoto county, Mississippi, to wit:

CHICKASAW BLUFF LAKES S/D LOT 283 S/T/R - 7-3-9  
Parcel # 3093-0704.0-00283.00

Together with all improvements thereon and appurtenances thereunto belonging.

The above quitclaim and this conveyance is made subject to any and all valid and outstanding oil, gas, and mineral leases, exceptions, reservations, and conveyances, and any and all Power Line Easements, or other Easements or Rights of Way of record.

Witness our signature, this the 27<sup>th</sup> day of April, 1995.

LMG Properties, Inc.

By: Michael T. McRee

Michael T. McRee, President

STATE OF MISSISSIPPI  
COUNTY OF HINDS

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said county and state, on this 27<sup>th</sup> day of April, 1995, within my jurisdiction, the within named, Michael T. McRee, who acknowledged that he is President of LMG Properties, Inc., a Mississippi Corporation, and that for and on behalf of the said corporation, and as its act and deed he executed the above and foregoing instrument, after first having been authorized so to do.

STATE MS - DESOTO CO.

JUN 28 10 09 AM '95

NOTARY PUBLIC

My Commission Expires:

My Commission Expires November 25, 1995

Grantor's / Preparer Address:

LMG Properties, Inc.  
c/o Sunburst Bank Trust Dept.  
Post Office Box 23053  
Jackson, MS 39225-3053  
601-355-6417

BK 287 PG 354

Grantee's Address:  
W.E. DAVIS CH. CLERK  
940 One Jackson Place  
Jackson, MS 39201  
(601) 355-6417

TITLE NOT EXAMINED

INDEXING INSTRUCTIONS: CHICKASAW BLUFF LAKES S/D LOT 283 S/T/R - 7-3-9

EXHIBIT

B

STATE MS - DESOTO CO.

JUN 19 11 07 AM '95

BK 287 PG 354  
W.E. DAVIS CH. CLK.

# CHANCERY CLERK'S CONVEYANCE SOLD FOR TAX

(Chapter 27-43 Code of 1972)

LAND 0357 PG 0163

THE STATE OF MISSISSIPPI  
COUNTY OF DeSOTO

SEP 30 10 12 AM '94

Be it known that Joey Treadway

County of DeSoto ; did, on the 31 day of August, A. D., 1992

according to law, sell the following described land, situated in said county and assessed to

Michael J. Lacombe, et al to-wit:

DESCRIPTION OF LAND	SEC.	TWP.	RANGE
Chickasaw Bluff Lakes S/D			
Lot 283			
Parcel # 3093-0704.0-00283.00	7	3	9

FOR THE TAXES ASSESSED THEREON for the year A. D., 1991, when  
IMG Properties as agent became the best bidder therefor, at and for the  
sum of Fifty Two and 27/100 Dollars \$ 52.27  
and the same not having been redeemed, I, therefore sell and convey said above described land to  
the said IMG Properties as agent

Given under my hand and official seal of office, this the 15 day of September A. D., 1994

W. F. Davis

Chancery Clerk

## COSTS TO BE PAID BY PURCHASER WHEN THIS DEED IS MADE

Chancery Clerk for issuing Notice to Land Owner, Sec. 27-43-3.	\$3.00
Sheriff, Serving Notice to Land Owner, Sec. 27-43-3.	4.00
Chancery Clerk, for Notice to Holder of Lien, Sec. 27-43-11.	2.50
Chancery Clerk, for executing tax deed, as above	5.00
Chancery Clerk for recording above deed	7.00
TOTAL (to be collected from purchaser), (charge against said land)	21.50

STATE OF MISSISSIPPI,  
COUNTY OF DeSOTO

Personally appeared before me, the undersigned authority of law in and for the county and state aforesaid, the  
within named W. F. Davis, Chancery Clerk in and for said county and state, who acknowledged that  
he signed and delivered the foregoing instrument on the day and year therein mentioned.

Given under my hand and official seal of office at my office at Hernando, Miss., this 15th  
day of September, 1994

Jeanette B. Martin  
TUE Circuit Court Clerk

My Commission Expires Jan. 2, 1998

EXHIBIT

C



14 1412  
FILED  
'60 MAR 17 PMADMINISTRATOR'S DEED

KNOW ALL MEN BY THESE PRESENTS:

MARILYN EDWARDS  
CO. AND PROBATE CLERK  
WASHINGTON CO., MS.

THAT Marilyn LaCombe, as Executrix of the Estate of Leo Lawrence LaCombe, deceased, GRANTOR, having been duly appointed as such Executrix by the Probate Court of Washington County, Arkansas, and pursuant to the power of sale vested in said GRANTOR by an order of the Probate Court dated the 19th day of March, 1980, for and in consideration of a Family Settlement Agreement entered into by the GRANTEEES: Michael Joseph LaCombe, Teresa A. LaCombe, Paula G. LaCombe, David LaCombe, and Laura Harmer, in full satisfaction of their bequests under Article II of the Last Will and Testament of decedent, and filed in this court on the 11th day of March, 1980, does hereby grant, bargain, sell and convey unto the said GRANTEEES and unto their heirs and assigns forever, all the right, title, interest, equity and estate of the said Leo Lawrence LaCombe, deceased, discharged from liability of all debts in and to the following land situated in DeSoto County, Mississippi:

Lot 283 in Section B Chickasaw Bluff Lakes Subdivision as shown on Plat appearing of record in Plat Book 6, Pages 29-34 in the Chancery Court Clerk's office of DeSoto County, Mississippi, to which recorded Plat reference is made for more particular description. Said Lot being situated in Section Seven (7), Township Three (3), Range Nine (9).

TO HAVE AND TO HOLD the same unto said GRANTEEES and unto their heirs and assigns forever, with all tenements, appurtenances and hereditaments thereunto belonging.

IN WITNESS WHEREOF, GRANTOR has hereunto set her hand this 3rd day of March, 1980.

Marilyn LaCombe  
Marilyn LaCombe, Executrix of the  
Estate of Leo Lawrence LaCombe, deceased

EXHIBIT

D

ACKNOWLEDGMENT

STATE OF ARKANSAS

)  
) SS  
)

COUNTY OF WASHINGTON

BE IT REMEMBERED that on this 2<sup>nd</sup> day of March,  
1980, came before the undersigned, a Notary Public, within  
and for the County and State aforesaid, duly commissioned and  
acting, Marilyn LaCombe, to me well known as the person who  
executed the foregoing Administrator's Deed, and stated that  
she had executed the same for the consideration and purposes  
therein mentioned and set forth.

William Russell Carlson  
Notary Public

My Commission Expires:

9-1-83

STATE OF MISSISSIPPI, COUNTY OF DESOTO  
I HEREBY CERTIFY that the above and foregoing is a true  
copy of the original filed in this office.  
This the 19 day of July, 19 99

W. E. Davis, Clerk of the Chancery Court  
BY E. Finley D.C.

STATE OF MISSISSIPPI, DESOTO COUNTY

I certify that the within instrument was filed for record at 11 o'clock  
10 minutes A.M. 24 day of Mar, 1980, and that the same has been recorded  
in Book 146 Page 473 records of WARRANTY DEEDS of said County.

Witness my hand and seal this the 25 day of March, 1980.  
Fee \$ 2.50 pd. SEAL H. D. Ferguson CLERK